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Fax Transmission | June 6, 2003

TO: Commissioner for Patents
Attn: Examiner Jeffrey Siew
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: Katherine M. Kowalchyk

OUR REF: 8076.231USW1
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Total pages, including cover letter: 2PTO FAX NUMBER 1-703.872.9306

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Title of Document Transmitted:

RESPONSE TO RESTRICTION
REQUIREMENT

Applicant: FESTOC
Serial No.: 09/981,070
Filed: OCTOBER 15, 2001
Group Art Unit: 1637
Our Ref. No.: 8076.231USW1

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Katherine M. Kowalchyk
Name: Katherine M. Kowalchyk
Reg. No.: 36,848

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

June 6, 2003

Therese A. Boerboom
Signature

June 6, 2003
Date

S/N 09/981070

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FESTOC Examiner: S. LATIMER
Serial No.: 09/981,070 Group Art Unit: 1645
Filed: OCTOBER 15, 2001 Docket No.: 08076.0231USW1
Title: DEVICE FOR THERMO-DEPENDENT CHAIN REACTION
AMPLIFICATION OF TARGET NUCLEIC ACID SEQUENCES, MEASURED
IN REAL-TIME

CERTIFICATE UNDER 37 CFR 1.600:

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on June 6, 2003.

By:

Name: Sheryl A. Boerboom

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is being submitted in response to the Restriction Requirement mailed May 6, 2003. Without acquiescing to the statements made therein, Applicants hereby elect the claims of Group II (claims 75-92) with traverse for prosecution in the instant application. Applicants respectfully traverse the restriction requirement with regard to Group II and Group III. Applicants submit that it would not be unduly burdensome to search both claims drawn to device with plate and claims drawn to method of amplification. Applicants note these groups are classified in the same class. Therefore, Applicants traverse the restriction requirement with respect to the Group II and Group III invention. Examination on the merits is respectfully requested.



Respectfully submitted,

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Date:

June 4, 2003

By:

Katherine M. Kowalchuk
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